**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**

**WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928**

**WP(C).No. 36110 of 2004(W)**

**----------**

**PETITIONERS:**
**----------**

1. **M. JOSEPH, MEMBER BOARD OF DIRECTORS OF NARAKATHARA SERVICE CO-OPERATIVE BANK LTD.NO.1196, NARAKATHARA P.O., ALAPPUZHA.**

2. **MATHAI JOSEPH, MEMBER OF BOARD OF DIRECTORS OF NARAKATHARA SERVICE CO-OPERATIVE BANK LTD.NO.1196, NARAKATHARA P.O., ALAPPUZHA.**

**BY ADV. SRI.D.SOMASUNDARAM**

**RESPONDENTS:**
**----------**

**JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, GENERAL, ALAPPUZHA.**

**ADDL.R2 IMPLEADED**

**ADDL.R2 . K.C. KURIAN, KOYIKKAL HOUSE, NARAKATHARA P.O., ALLEPPEY.**

**IS IMPLEADED AS PER ORDER DT.13.1.05 IN IA. 317.05.**

**BY GOVERNMENT PLEADER SRI. MANOJ**
**SRI.P.N.MOHANAN**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**KURIAN JOSEPH, J.**

**----------**

**W.P.(C) No.36110 of 2004**

**----------**

**Dated 28th February, 2007.**

**J U D G M E N T**

The challenge is on Ext.P3 notice issued by the first respondent proposing to disqualify the petitioners, under Rule 44 (1)(k) of the Kerala Cooprative Societies Rules, 1969. It is seen that the petitioners had participated in the election, pursuant to Ext.P2 order. Since the supersession has not taken effect, there can be no disqualification on the basis of Rule 44(1)(k). Therefore, the writ petition is dismissed.

**KURIAN JOSEPH, JUDGE.**

***tgs***

**KURIAN JOSEPH, J**

---

**O.P.No.  of  2002**

---

**J U D G M E N T**

**Dated 28th  February,  2007.**